

To: Participants, Staff Work Group on Urban Water Use Measurement
From: Tom Gohring, Assistant Deputy Director, Water Management
Date: October 8, 2003
Re: Strawman Implementation Approach – Introduction and Summary

Background:

The August 2000 CALFED Record of Decision calls for the California Bay-Delta Authority 's (CBDA) Water Use Efficiency Program to put forward legislation requiring the appropriate measurement of all water uses in California.

To move forward with this task, the Program prepared a draft definition of appropriate measurement of urban water use. This definition was preliminarily discussed and generally supported at the Staff Work Group held September 17, 2003, in Sacramento. While there are still issues to discuss associated with the definition, the Program is moving forward with a rough strawman intended to put forward the broad outlines of an implementation approach related to appropriate urban water use measurement.

The intent of this initial draft is to elicit the Work Group's preliminary feedback on the Authority's current thinking on this topic. It is the Authority's intention to solidify the broad outlines of the implementation approach by late November and finalize a more detailed approach by late January 2004.

Process Used to Develop Implementation Approach:

To develop an outline for the draft implementation approach, Authority staff and consultants took several key steps. These are:

1. ***Derived key actions based on draft definition.*** Based on the current definition of appropriate urban water use measurement as discussed with the Urban Staff Work Group, staff and consultants derived a list of key actions needed to implement the definition. These actions segmented into the following categories: establishing standards and protocols for recording, reporting and disseminating data; identifying specific measurement needs; articulating reporting requirements; and stepping out essential research and adaptive management elements.
2. ***Developed topic areas related to each possible action.*** To focus discussions, staff and consultants developed a series of questions necessary to consider in developing an implementation approach for each possible action. These questions – derived in part from the follow-on considerations listed in the draft definition – focused on topics such as: status of current actions and legislative and regulatory mandates; likely key players; funding and technical assistance needs; potential assurances; possible exemptions/exceptions; and likely adaptive management components. It also focused, importantly, on identifying the primary institutional vehicles required for implementation: legislative, administrative or budgetary.

3. **Identified overarching principles.** Before outlining an implementation approach, staff and consultants developed a preliminary list of overarching principles to guide their thinking on each possible action and provide sideboards for structuring a proposed approach. Key principles include: use legislative remedies only when necessary; streamline and rationalize state and federal reporting requirements; acknowledge and account for smaller water suppliers' resource limitations; seek parity – not symmetry – across agricultural and urban sectors; and, stress incentives over penalties.
4. **Drafted preliminary outline of implementation approach.** Based on process outlined above, staff and consultants took a first step at outlining the overarching elements of an implementation approach. This outline – summarized briefly below and presented in greater detail in the attached material – is intended to communicate the Authority's current thinking on this topic and foster Work Group discussions and feedback. The Authority expects that this outline will evolve based on Work Group deliberations and comment.

Summary – Implementation Approach:

As noted above, the Authority has put forward the broad outlines of a possible implementation strategy for urban water use measurement. The key elements are:

- **Establish state standards and protocols for recording, reporting and disseminating urban water use measurement data.** This action, as outlined in the preliminary draft, envisions development of a statewide database to improve consistency across urban water purveyor measurement data and make the information more accessible to industry, government, researchers and the public. As currently proposed, it would be implemented primarily through administrative and budgetary actions. The Department of Water Resources would serve as the lead agency, with the California Bay-Delta Authority providing oversight. The effort would require close collaboration with urban water purveyors.
- **Require urban water purveyors to measure and report data on water sources and deliveries.** This action, as outlined in the preliminary draft, relies on a mix of legislative, administrative and budgetary steps for implementation. Most notably, the current outline envisions legislation requiring urban water purveyors to measure water use deliveries. Additional legislation may be necessary to address reporting requirements, though existing statutes may provide sufficient authority. Size thresholds would be included to minimize the impact on smaller water purveyors. The proposed approach relies on specific timelines, but also anticipates incorporating deferrals to help address local cost-effectiveness constraints. Some state funding would likely be needed to support technical assistance.
- **Require wastewater dischargers to measure and report data on urban water discharges.** This action, as outlined in the preliminary draft, relies on current EPA and SWRCB efforts and legislative mandates for implementation. No additional legislation is anticipated, though some administrative actions may be necessary to articulate guidelines for reading and maintaining meters.

- ***Establish ongoing research and adaptive management efforts.*** This action, as outlined in the preliminary draft, calls for two parallel and complementary administrative actions intended to keep urban water use measurement current and effective: (1) establishment of an urban water-use research program; and, (2) establishment of an adaptive management program. As currently envisioned, these programs would be overseen by the Authority's Science Board, with DWR and the SWRCB taking the lead in implementation. These initiatives would require state funding, though dollar amounts are not yet known.

The proposed implementation approach also includes steps to address measurement of net groundwater usage.

Materials Attached:

To support the Work Group's deliberations on this topic and provide greater detail on the proposed implementation approach, we have attached the following two documents:

- ***Strawman Implementation Approach – Summary Table.*** This table (see below) summarizes, in one page, the primary actions and implementation vehicles included in the draft proposed implementation approach.
- ***Strawman Implementation Approach – Detailed Overview.*** This document (attached separately) provides a more detailed look at each of the proposed actions and summarizes, for each one, the status of current measurement efforts and puts forward the Authority's current thinking related to, among other things, sub-actions needed, primary actors, funding, timeline, assurances and preferred implementation vehicle.

We look forward to discussing this material with you at the Staff Work Group meeting to be held this Wednesday, October 15.

-DRAFT SUMMARY-
DRAFT OUTLINE OF PRELIMINARY IMPLEMENTATION APPROACH
FOR URBAN WATER USE MEASUREMENT

Measurement Action		Primary Actor	Proposed Primary Implementation Vehicles		
			Leg Action	Admin Action	Budgetary Action
Meas. Standards	Establish state standards and protocols (for recording, reporting and disseminating data)	State (DWR)		X	X
Measurement Needs	Measure water sources	Local	Maybe	X	
	Measure water use deliveries	Local	X	X	
	Measure wastewater discharge	Local	<i>Handle through existing EPA/State Board actions</i>		
	Measure net groundwater usage	State (DWR)		X	X
Reporting Needs	Report water sources	Local ¹	X ³		
		State (DWR) ²		X	X
	Report deliveries	Local ¹	X ³		
		State (DWR) ²		X	X
	Report wastewater discharge	Local ¹	<i>Handle through existing EPA/State Board actions</i>		
Additional Needs	Undertake urban water use research program	State (Science Board)		X	X
	Undertake adaptive management program	State (Science Board)		X	X

¹ Involves recording and reporting.

² Involves collecting, storing, and disseminating information.

³ This may only affect the frequency of reporting.